S.B.Cr.Misc. Second Bail Appl. No.3032/2006

(Ashwani Kumar vs. State of Rajasthan)

Date of order : 20.7.2006

HON'BLE MR.H.R.PANWAR,J.

Mr.M.K.Garg, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.

This is second bail application. The first bail application came to be dismissed by this Court on 4.4.2006 as it was not pressed by learned counsel for the petitioner.

Heard learned counsel for the petitioner and the Public Prosecutor for the State.

It is contended by learned counsel for the petitioner that similarly situated co-accused Gurdeo Singh and Inder Mohan alias Choudhary have been granted bail by a co-ordinate Bench of this Court and co-accused Gumeet Singh has been granted bail by the trial court. So far as petitioner is concerned, only a driving licence is alleged to have been recovered from him, whereas currency has been recovered from co-accused Gurmeet Singh and a purse and bag have been recovered from co-accused Gurdeo Singh, they are already on bail.

Having regard to the facts and circumstances of the case and the fact that similar situated co-accused have already been granted bail, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and petitioner Ashwani Kumar s/o Mahendra Singh be released on bail in FIR No.220/2005, P.S. Anupgarh provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-